

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Prior to this Amendment "C", claims 1-20 were pending in the present application. In this Amendment "C", claim 1 has been amended to further particularly point out and distinctly claim the subject matter that applicant regards as the invention.

It is respectfully submitted that the minor amendment to claim 1 is of a clarifying nature, and does not raise any new issues requiring further search or consideration by the Examiner. It is further noted that the amendment to claim 1 may be considered to narrow the scope of claim 1, and thereby reduce the issues for appeal. Accordingly, entry of the amendment to claim 1 is considered appropriate, and is respectfully requested. No new matter has been added. Reconsideration of the present application in its current format is hereby respectfully requested.

THE INVENTION

As set forth previously, the present invention is directed to an installation in which the complex function of handling storage formations and/or supporting elements is split into partial functions that are carried out by separate devices, respectively. The specific devices are designed to perform the partial functions and to operate independently. Moreover, the devices are designed so that there is no need to transfer the handling storage formations and/or supporting elements between devices. This latter feature is

accomplished by a hierarchy, wherein the device of a higher hierarchy step manipulates the device of the next lower step in the hierarchy, i.e., only the primary device handles the storage formation or the supporting element directly.

The function splitting according to the invention regards not only handling functions, but also transport functions (primary, secondary and possibly tertiary transport paths). The devices include a "positioning device" and an "orienting device." The positioning device is designed for holding and transporting a storage formation/supporting element along primary paths. It should be carefully considered that the orienting device is designed for transporting only the positioning device along secondary paths, and for changing the orientation thereof, as indicated in claim 1 as presently amended. This is very different from the prior art as presently relied upon by the Examiner.

THE REJECTIONS UNDER 35 U.S.C. §102

Claims 1-20 had once again been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,264,133 to Herrmann. For at least the reasons set forth below, this rejection is respectfully traversed.

In the outstanding Final Action, the Examiner relies on the Herrmann reference as allegedly showing "primary transport paths" (extending in the Y direction parallel to rails 22 in Fig. 5) and "a secondary transport path (extending in the X direction in Fig. 5). Herrmann simply shows an arrangement which is in essence an overhead traveling bridge crane. The disclosure that supports Fig. 5 of Herrmann (col. 6, lines 24-39) states that this device includes:

“....a trolley 20 being movable in vertical direction (z) on a column 21 and comprising four coupling means, whereby the column is rotatable (r) around its own axis and is movable in y-direction along a supporting beam 22 which itself is movable in x-direction.”

It is therefore clear that Herrmann simply discloses a traveling trolley device having movement in several degrees of freedom. However, a “path” as recited at present is predefined and stationary, so as to restrict the direction of travel of the apparatus. The disclosure of Herrmann is wholly inadequate for showing a “path” as is clearly recited at present.

An arrangement as shown by Herrmann is characterized in that the load holding equipment (20/21) is not limited to move along a predefined, stationary path, as does the present invention. The Herrmann device can move along any desired line and can be positioned in any desired location within a predetermined area, defined by the X-directional travel of the supporting beam 22 and the Y-directional travel of the column 21 along the supporting beam 22.

In contrast to this, the present claim 1 recites predefined, stationary paths for respectively transporting the positioning device and the orienting device. This aspect of the invention is further clarified in claim 4, which states that the positioning device is displaceable along “guide means,” which are “rails or electrical guide lines” as required by claim 5. Therefore, it should be clear that the apparatus of the present invention that the “paths” are discrete structures which specifically limit the motion of the components within the present installation. The present paths are clearly **not** an undefined, arbitrary function of an apparatus having several degrees of freedom of motion. Therefore,

Herrmann cannot be relied upon to satisfy the requirements of the present claim. Reconsideration and withdrawal of this grounds of rejection is therefore respectfully requested.

As set forth above, Herrmann shows a traveling trolley 20 which is vertically movable (in the z-direction) along a column 21. The traveling trolley is rotatable in relation to the column, or the column is rotatable together with the traveling trolley in relation to the supporting beam 22, as disclosed in the description of Fig. 4, bridging cols. 5 and 6 of Herrmann. The rotatability of the traveling trolley 20 and the column 21 respectively indicate that they have the function of reorienting the roll support. This is the same function as the orienting device in accordance with the present claim 1. However, the traveling trolley 20 and the column 21 also take over the function of positioning the roll support, either in a storage place or in a winding station, i.e. the function of the presently claimed positioning device.

As such, it is respectfully submitted that the Examiner is mistaken in stating that Herrmann shows a "positioning device (20, 21 and associated structure for supporting and driving them along rails 22) for transporting the supporting elements along the primary paths, and an orienting device (22 and associated mechanism for orienting and driving in the X direction)." It is clear that the supporting beam 22 has no reorienting function whatsoever. It is also quite clear that the trolley 20, column 21 and supporting beam 22 are always coupled together, and that they always function as a group. As such, these components supply the functions of both the present positioning device and the orienting device. Herrmann therefore cannot be relied upon to show a positioning device and an orienting device "operable independently from each other," as stated by the Examiner.

In the outstanding "Response to Arguments," the Examiner implicitly acknowledges the lack of separate, distinct positioning devices, stating that, "Herrmann includes independently operable structures and mechanisms that, combined, perform these operations as required by the claims." Indeed, the trolley 20, column 21 and supporting beam 22 may possibly be construed as performing in a similar fashion. However, these components perform in a very different manner than claimed at present. Therefore, the Examiner's argument is not relevant since the present claims recite the positioning device and the orienting device as discrete, separate components. As such, the positioning device may be movable by itself along the primary paths, uncoupled from the orienting device, but being movable along the secondary paths only when loaded onto an orienting device. Further, the orienting device is movable only along a secondary path, not along a primary path. In this way, the present system as claimed clearly defines separateness and independence of the positioning device and the orienting device. From this, it should be clear that Herrmann teaches away from the presently claimed system.

In order to further clarify this aspect of the invention, claim 1 has been amended to recite, "at least one orienting device (6, 6') for transporting the at least one positioning device along only the at least one secondary transport path (4) and for changing an orientation thereof." In this way, the claims recite structure that points to a positioning device and an orienting device, discrete and separate from each other. This structure plainly cannot be shown from Herrmann, and therefore, the Herrmann reference cannot be relied on to satisfy the requirements of anticipation as required by Section 102. For this reason and others, it is believed that the present claims patentably distinguish over the prior art.

For at least the reasons set forth above, Applicant submits that the Herrmann patent fails to show or suggest the features of the present invention defined by independent claim 1. Applicant considers it apparent that the Herrmann patent also fails to show or suggest claims 2-20 since they all depend from claim 1 and recite additional novel features of the present invention. Thus, the claims are believed to be allowable for at least these reasons.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. FRR-12920.

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

By


Jay P. Ryan
Patent Agent
Registration No. 37,064

4080 Erie Street
Willoughby, Ohio 44094
(216) 566-9700